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Attorney's Docket No.: 10064-002002

AUG 31 2005

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Phillips, et al.  
Serial No. : 09/779,659  
Filed : February 9, 2001  
Title : THEME CALENDAR

Art Unit : 3722  
Examiner : Fridie Jr., Willmon

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**SUBSTITUTE TERMINAL DISCLAIMER UNDER 37 CFR §§3.73(b) AND 1.321(b)**

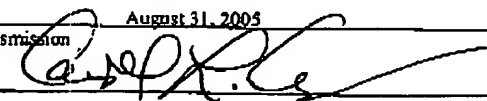
Pursuant to 37 CFR §1.321(b), and to obviate a double patenting rejection, Applicants hereby waive and disclaim the terminal portion of the term of the entire patent to be granted upon the above identified application subsequent to the expiration date of U.S. Patent No. 6,186,553, whereby the patent granted on this application and U.S. Patent No. 6,186,553 will expire on the same day, provided that any patent granted on the above identified application shall be enforceable only for and during such period that it is commonly owned with U.S. Patent No. 6,186,553. This application has not been assigned; each of the five applicants retains his or her undifferentiated ownership interest in the patent to be granted.

Applicants do not disclaim any terminal part of any patent granted on the above identified application prior to the expiration date of the full statutory term of U.S. Patent No. 6,186,553 in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to expiration of its statutory term, except for the separation of legal title as stated above. Assignee herein does not disclaim or otherwise affect any part of U.S. Patent No. 6,186,553.

This disclaimer runs with any patent granted on the above application and is binding upon the grantee, its successors or assigns.

## CERTIFICATE OF TRANSMISSION BY FACSIMILE

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Please charge any additional fees, or make any credits, to Deposit Account No. 06-1050, referencing Attorney Docket No. 10064-002002.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,

Date: August 31, 2005

  
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